

### REMARKS

The present communication is responsive to the Office Action mailed February 4, 2005.

#### **Summary of Response**

Claims 1-5, 25-27 and 35-39 are rejected as being anticipated by Coleman. Claims 6, 28 and 40 are rejected as being obvious over Coleman in view of McKeehan. Applicant respectfully traverses the rejections. In addition, Applicant adds several new independent claims to more clearly distinguish over the disclosure of the references (particularly, over the disclosure of Coleman). The details of the traversal, as well as the new independent claims, are discussed below.

#### **Summary of Invention**

As discussed in the Background portion of Applicant's specification, in some instances, when an application within an enterprise environment requests access to a component, the application may provide a "deployment hint" to the container associated with the component to which access is requested. Once the deployment hint is provided, the component tells the container to start a transaction. In the situation where a deployment hint is provided, the hint indicates whether the transaction is local or global.

However, in some cases, a deployment hint is not provided. Conventionally, in those cases, it is assumed that the transaction is appropriate to be global. Thus, having a container start a global transaction by default if a deployment hint is not provided often wastes computational resources.

In accordance with the invention as recited in the presently-considered independent claims, in situations where it cannot be determined what type of transaction would actually be appropriate, a local transaction is initiated by default. In Applicant's preliminary amendment, Applicant added the recitation in the independent claims that the transaction is initiated as a local transaction "without first determining whether the transaction is appropriate to be a local transaction."

#### **Traversal of the Rejections**

We now turn to the Examiner's contentions, particularly with respect to the feature added to the claims 1, 25 and 35 in the preliminary amendment.

As a preliminary matter, it is noted that the Examiner appears to be considering distributed applications to have "global" and "local" aspects and non-distributed applications to have "local" aspects only. For example, the concept of "distributed applications" within the context of the Coleman disclosure is explained at col. 9, lines 40-57.

Referring still to the Coleman disclosure (see, e.g., col 13, line 54 et seq.), it is clear that, when a request is made to access resources in a different environment (i.e., not in the "local" environment), an application program conversation initiate interface is invoked which, as a result of subsequent processing, "registers" applications as "partner applications" such that they can send and receive data in a peer to peer manner. Thus, it is inherent that, determining that such a registration is absent is the same as "determining whether the transaction is appropriate to be a local transaction." Put another way, with respect to Coleman, there is no ambiguity as to whether a transaction is appropriate to be local or global.

The Examiner cites to six different portions of Coleman for alleged support that Coleman discloses initiating the transaction as a local transaction "without first determining whether the transaction is appropriate to be a local transaction." The portion at col. 10 merely discloses, essentially, that the Coleman system operates in a distributed environment using the "conversation" mechanism. The cited portion at col. 11 discloses registering protected file adaptors with a syncpoint manager for the work unit.

The cited portion at col. 13 discloses initiating a protected conversation to establish a distributed application. The cited portion at col. 19 discloses what is a "work unit" and how work unit identifiers are selected. The cited portion at col. 20 discloses how a single logical unit of work extends between two or more application partners. Finally, the cited portion at col. 23 discloses the use of two-phase commit procedures for resources directly accessed by the applications. None of these cited portions discloses initiating a local transaction "without first determining whether the transaction is appropriate to be a local transaction."

In addition, Coleman does not disclose initiating a transaction as a local transaction (by default), where it actually may be more appropriate for the transaction to be a global transaction. This is a point, for example, of claim 3. By this amendment, claim 3 has been amended to clarify that it is the same transaction that is initiated as a local transaction and is also initiated as a global transaction. The portion of Coleman cited by the Examiner as support for rejecting claim 3 clearly discloses that the "local" and "global" transactions correspond to different transactions.

McKeehan is basically cited by the Examiner merely for an alleged disclosure of J2EE and some of the features typically associated with that environment. Therefore, McKeehan cannot be considered to make up for the deficiencies in Coleman.

For the aforementioned reasons, it is respectfully submitted that the rejection of claims 1-6, 25-28 and 35-40 should be withdrawn.

#### **New Claims**

In addition, Applicant has added new independent claims 51, 52 and 53, to parallel independent claims 1, 25 and 35. These new claims specifically recite that the initiation as a local transaction is "without knowledge of whether the transaction is more appropriate to be a

local transaction or a global transaction." Thus, not only is there no determination about whether the transaction is appropriate to be a local transaction but, also, there is no such knowledge in any event. Similar to the discussion above, it is respectfully submitted that nothing of this sort is disclosed by Coleman.

#### CONCLUSION

It is respectfully submitted that this application is in condition for allowance. Notice to that effect is earnestly solicited. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



Alan S. Hodes  
Reg. No. 38,185

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300